

REMARKS

Claims 1, 3-6, 8-12, 14-15 and 17-22 were examined by the Office, and in the Office Action of January 21, 2010 all claims are rejected. With this response, claim 9 is amended. All amendments are fully supported by the specification as originally filed. Applicant respectfully requests reconsideration and withdrawal of the rejections in view of the following discussion.

Applicant respectfully notes that the Office Action does not appear to specifically address the limitations of the claims amended with the last response. Instead, the Office Action addresses the limitations from the previous version of the claims. Applicant has contacted the Examiner, and the Examiner's position was that the amendments did not substantially change the claim limitations. Therefore, the Examiner asserted that the previous rejections was equally as applicable to the amended claims. Applicant respectfully submits that the amendments to the claims further distinguish the claims from the cited references, and respectfully requests that the Office examiner the actual limitations of the claims when reviewing this response to the Office Action.

Claim Objections

In section 1, on page 2 of the Office Action, claim 9 is objected to due to informalities. Claim 9 is amended to recite "forwarding service request signalling...in a transparent container" in order to clarify the limitations of claim 9. Applicant respectfully submits that claim 9 is clear in view of the amendment to claim 9, and respectfully requests withdrawal of the objection to claim 9

Claim Rejections Under § 103

In section 7, on page 4 of the Office Action, claims 1, 3-6, 8-12, 14-15 and 17-22 are rejected under 35 U.S.C. § 103(a) as unpatentable over Torabi (EP 1 076 463) in view of Khullar (U.S. Patent No. 6,748,246). Applicant respectfully submits that claim 1 is not disclosed or suggested by the cited references, because the cited references fail to disclose or suggest all of the limitations recited in claim 1. The cited references, alone or in combination, at least fail to disclose or suggest sending service request signalling to a network device operating in a first

mode for requesting a service in at least one of various modes supported by the multimode terminal, said service being unsupported by the multimode terminal in the first mode, as recited in claim 1. In addition, the cited references also fail to disclose or suggest receiving the requested service from another network device supporting a second mode as a result of a handover from the network device to the other network device, as recited in claim 1.

Torabi provides a virtual home environment for an away-from-home wireless subscriber by means of a supporting network. The supporting network is interconnected with the subscriber's home network and visited network. The network interconnection is realized by use of a network-network interface protocol that enables the visited network to provide a service that is supported by the subscriber's home network but is not supported by the visited network. See Torabi paragraph [0005]. Therefore, the supporting network of Torabi acts as an intermediary between the home network and the visited network. See Torabi Figure 2. A service that is available to the wireless subscriber in its home network but is not available in the visited network is brought from the home network to the visited network through the interconnected supporting network. In Torabi, when the requested service is not available in the visited network, it is brought from the home network to the visited network. Therefore, the terminal is still communicating with the visited network.

In contrast to claim 1, Torabi does not disclose or suggest sending service request signalling to a network device operating in a first mode for requesting a service, in which the service is unsupported by the multimode terminal in the first mode, as recited in claim 1. Torabi only discloses services that may be unavailable at a visited network, and does not disclose or suggest services that may be unavailable to a terminal operating in a particular mode. In fact, the Office acknowledges on page 3 of the Office Action that Torabi does not disclose a multimode terminal or that the services may be provided by different modes, and relies upon Khullar for these teachings. However, Khullar also fails to disclose or suggest the service is unsupported by the multimode terminal, because Khullar is related to selecting an optimal access technology within a mobile station. See Khullar column 3, lines 66-67. Therefore, for at least the reasons discussed above, claim 1 is not disclosed or suggested by the cited references.

Furthermore, as mentioned above, when the requested service is not available in the visited network in Torabi, the requested service is brought from the home network to the visited network. Accordingly, in Torabi the terminal remains connected to the visited network, and no handover takes place. In contrast to Torabi, claim 1 recites that the requested service is received from another network device supporting a second mode as a result of a handover from the network device to the other network device. In Torabi, there is no handover, since the visited network merely receives the requested service from the home network. Therefore, for at least this additional reason, claim 1 is not disclosed or suggested by the cited references.

Independent claims 6, 12, 15, 18 and 20-22 contain limitations similar to those recited in claim 1, and therefore are not disclosed or suggested by the cited references for at least the reasons discussed above with respect to claim 1.

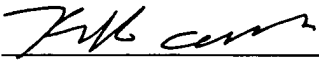
The dependent claims rejected above all ultimately depend from an independent claim. Therefore the dependent claims are not disclosed or suggested by the cited references at least in view of their dependencies.

Conclusion

It is earnestly requested that the application be reconsidered, and that the claims be allowed. The undersigned hereby authorizes the Commissioner to charge Deposit Account No. 23-0442 for any fee deficiency required to submit this response.

Respectfully submitted,

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Date


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